

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW JERSEY

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JUN - 1 2022

AT 8:30 M
WILLIAM T. WALSH
CLERK

ZIA SHAIKH,)
)
Plaintiff,) CASE NO. 3:22-cv-02053-GC-RLS
)
v.)
)
LAURA L. GERMADNIG et al,))
) MOTION FOR ENTRY
) OF DEFAULT FINAL JUDGMENT
Defendants)
)
_____)

The undersigned plaintiff, ZIA SHAIKH, move this Court for entry of a default judgment as to defendants:

1. Laura L. Germadnig,
2. Siegfried Germadnig
3. Patricia Germadnig
4. Melissa Reeves
5. Kenneth Reeves
6. Mark Germadnig
7. Stacy GERMADNIG
8. Siegfried GERMADNIG Jr
9. Barus Germadnig
10. Crystal Germadnig
11. Skye Germadnig Jr
12. David Tarnowski
13. Nicole Tarnowski
14. Slava Kleyman
15. Nancy Cavanaugh
16. Louis Elwell
17. Janice Elwell
18. Christine Gilfillen
19. Sandra Seaman
20. Jack M.
21. Nada Pityinger
22. Brett Pityinger
23. Daniel Schastny

24. Kathleen Schastny
25. Bradley Mckee
26. Rene Mckee
27. Robert Mckee
28. Carol Mckee
29. Stanley O'Brian
30. Lori O' Brian
31. Candy Mckee
32. Cathleen Christie-Coneeny
33. Joseph Guteski
34. Cowan Guteski & Co
35. John R. Wiley Jr
36. AICPA (Association of International CPA's)
37. Seth Arkush
38. Integrated Care Concepts LLC
39. Stephanie J. Brown Esq
40. August J. Landi Esq
41. David Schlendorf Esq

, upon the complaint heretofore filed and served upon the defendant, in accordance with the provisions of Rule 55(b)(2), Federal Rules of Civil Procedure, and in support thereof shows the Court the following.

1. On April 08, 2022, the Plaintiff filed in the United States District Court, District of New Jersey, Trenton Division, a Complaint alleging certain federal law tort claims act and common law tort claims acts violations by defendants jointly and severally in violation of 28 U.S.C. §1331 and §1343. **ECF document No.1** and is incorporated herein by reference.

2. On April 20 and April 22, 2022 respectively, a copy of said Complaint and Summons in a Civil Action were served by a third party process server Rafael Franco upon each of the forty one defendants listed above, at their residence and or place of business addresses as identified in the complaint. A copy of the

Process Receipt and Return and Summons is attached hereto as **ECF documents No.11,12 and 13** and is incorporated herein by reference.

3. On May 12, 2022, after more than twenty days, had elapsed since the service of said Complaint and Summons upon each of the listed defendants, and no Answer thereto having been served by these listed defendants upon the Plaintiff, the Plaintiff then notified each of the respective defendants, of the Plaintiff's intention to petition this Court for entry of a default judgment against each of these defendants. A sample copy of said letter sent to each defendant respectively is attached hereto as **Exhibit 1** and is incorporated herein by reference. **No response to said letter sent to these forty one defendants has been received by the Plaintiff.**

4. Defendants have failed to plead or otherwise defend this action, and the Plaintiff is entitled to judgment by default against defendant.

5. Pursuant to the provisions of Rule 55(b)(2), Federal Rules of Civil Procedure, this Court is empowered to enter a default judgment against the defendants for relief sought by plaintiff in its complaint, and written notice of this action has been given to defendant as set forth in the attached affidavit.

PRAYER

WHEREFORE, plaintiff prays that this Court enter a judgment of default against all listed defendants hereto, and that defendants be enjoined and restrained from further violations of

28 U.S.C. §1331 and §1343, as provided in the proposed Final Judgment filed contemporaneously with this Motion.

AFFIDAVIT

I, ZIA SHAIKH, do hereby certify that the statements and allegations set forth in the foregoing Motion and the accompanying Memorandum are true and accurate to the best of my knowledge and belief.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Zia Shaikh', written over a horizontal line.

ZIA SHAIKH - Plaintiff

200 Village Ctr Dr Unit 7381
Freehold, NJ 07728
732) 766-5466
Zia@MyArpp.com

Dated: May 23, 2022 -

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EASTERN DISTRICT OF NEW JERSEY

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ZIA SHAIKH,)	
)	
Plaintiff,)	CASE NO. 3:22-cv-02053-GC-RLS
)	
v.)	
)	
LAURA L. GERMADNIG et al,)	
)	AFFIDAVIT FOR
)	<u>ENTRY OF DEFAULT</u>
Defendant.)	
_____)	

ZIA SHAIKH, hereby declares under penalty of perjury,
pursuant to 28 U.S.C. § 1746(2) that the following statements
are true and correct:

1. That I am the Plaintiff in the above captioned
matter.
2. I hereby make application to the Clerk of this Court
for entry of default as to defendants:

1. Laura L. Germadnig,
2. Siegfried Germadnig
3. Patricia Germadnig
4. Melissa Reeves
5. Kenneth Reeves
6. Mark Germadnig
7. Stacy GERMADNIG
8. Siegfried GERMADNIG Jr
9. Barus Germadnig

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37. Seth Arkush
38. Integrated Care Concepts LLC
39. Stephanie J. Brown Esq
40. August J. Landi Esq
41. David Schlendorf Esq

, pursuant to Rule 55(a), Federal Rules of Civil

Procedure, and in support of this application do show

that:

A. On April 20 and April 22, 2022 respectively, a copy of
said Complaint and Summons in a Civil Action were

served by a third party process server Rafael Franco upon each of the forty one defendants listed above, at their residence and or place of business addresses as identified in the complaint, with copies of Plaintiff's Summons and Complaint as provided by Rule 4(c)(1), Federal Rules of Civil Procedure;

B. Upon Plaintiff's information and belief, the defendants, all being New Jersey residents and or being a New Jersey corporation, are neither an infant nor an incompetent person requiring special service in accordance with Rule 4(g), Federal Rules of Civil Procedure, and is not serving with the armed forces of the United States entitled to the protection of 50 U.S.C. App. Section 520;

C. All of the listed defendants have neither answered nor otherwise responded formally to the Plaintiff's Summons and Complaint, and the time to do so, as provided in Rule 12(a), Federal Rules of Civil Procedure, has expired;

D. Copies of this Affidavit and the Motion and Supporting Memorandum of Law, with attachment, seeking entry of default judgment, which are being filed herewith, have this date been served upon the defendant by regular mail, postage prepaid.

Respectfully submitted,


ZIA SHAIKH – Plaintiff

200 Village Ctr Dr Unit 7381
Freehold, NJ 07728
732)766-5466
Zia@MyArpp.com

Date: May 23, 2022

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW JERSEY

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ZIA SHAIKH,)
)
Plaintiff,) CASE NO. 3:22-cv-02053-GC-RLS
)
v.)
)
LAURA L. GERMADNIG et al,)
) **CERTIFICATE OF SERVICE**
) **MOTION DOCUMENTS**
)
Defendant.)
)
_____)


I, Zia Shaikh, certify as follows that on May 23,2022:

1. I served a copy of the attached **Notice of Motion for entry of default** with supporting papers upon Federal district court for the Eastern District of New Jersey, Trenton division via USPS mail.
2. I served the copy of same on each of the forty one defendants to their below listed addresses via USPS regular mail but without the exhibits since defendants already possess same as follows:
 1. Defendant Louis Elwell and Janice Elwell at 17 Raintree Ct Holmdel, NJ 07733.
 2. Defendant Sandra Seaman at 315 Elberon Ave Allenhurst, NJ 07711
 3. Defendant Robert I. Mckee and Carol L. Mckee at 99 Steiner Ave Unit 22, Neptune, NJ 07753
 4. Defendants Laura Germadnig , Siegfried Germadnig, Patricia Germadnig, Mark Germadnig, Stacy Germadnig, Siegfried Germadnig Jr, Barus Germadnig, Skyler Germadnig, Candy Mckee at 172 Roosevelt Ave Howell, NJ 07731

5. Defendant David Tarnowski and Nicole Tarnowski at 42 E. 4th St, Howell, New Jersey 07731.
6. Defendant Christine Gilfillen at 19 Rustic Ln Howell, NJ 07731
7. Defendant Daniel Schastny and Kathleen Schastny at 174 Windeler Rd Howell, NJ 07731
8. Defendant Bradely Mckee and Rene Mckee at 14 Lexington Rd Howell, NJ 07731
9. Defendant Melissa Reeves and Kenneth Reeves at 39 Dawn Cypress Lane, Jackson, New Jersey 08527,
10. Defendant Stanley O' Brian and Lori O'Brian at 450 Cook Rd Jackson, NJ 08527
11. Defendant Seth Arkush, Integrated Care Concepts LLC 19 N.County Line Rd Jackson, NJ 08527
12. Defendant Cathleen J. Coneeny, Esq., at 3215 Danskin Road, Wall, New Jersey 07719
13. Defendant Slava Kleyman at 265 Industrial way West Suite 1, Eatontown, NJ 07724
14. Defendant August J. Landi Esq at 1806 Highway 35 Ste 207, Oakhurst, NJ 07755
15. Defendant Nancy Cavanaugh at 1187 Marissa Dr Tomsriver, NJ 08724
16. Defendant Jack M to YELP INC Yelp Inc c/o National Registered Agents, Inc. 330 N Brand Blvd, Suite 700 Glendale, CA 91203
17. Defendant Nada Pityinger and Brett Pityinger at 482 Jamaica Blvd Tomsriver, NJ 08755
18. Defendant Joseph Guteski CPA at 40 Bey Lea Rd Ste A101 Toms River, NJ 08753
19. Defendant Cowan Guteski & Co, CPA. 40 Bey Lea Rd Ste A101 Toms River, NJ 08753
20. Defendant Stephanie J. Brown Esq at 16 Poor Farm Rd Pennington, NJ 08534
21. Defendant John R. Wiley CPA at 220 Leigh Farm Rd Durham, NC 27707-8110
22. Defendant AICPA-CIMA (Association of International Certified Public Accountants). at 220 Leigh Farm Rd Durham, NC 27707-8110
23. David Schlendorf Esq at 9 Grand Ave Tomsriver, NJ 08753

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: May 23,2022



Zia Shaikh
Plaintiff

EXHIBIT # 1

ZIA SHAIKH
200 VILLAGE CTR DR
UNIT 7381
FREEHOLD, NJ 07728
(732) 766-5466
ZIA@MYARPP.COM

SIEGFRIED & PATRICIA GERMADNIG
172 ROOSEVELT AVE
HOWELL, NJ 07731

05.12.2022

RE: ZIA SHAIKH v. LAURA L. GERMADNIG et al
Case No. 3:22-cv-02053-GC-RLS

Dear Defendants GERMADNIG,

Pursuant to FRCP RULE 55(a), you are hereby given notice that I, ZIA SHAIKH / Plaintiff intends to petition the Federal district court for the Eastern District of New Jersey, Trenton division for entry of a default judgment against you.

The court is located at 402 E.State St Rm 2020 Trenton, NJ 08608, Phone number for the clerk's office is (609)989-2065.

On April 20th, 2022 via personal service the federal complaint was served on you by a process server. The summons explained your rights and the FRCP rule to allow you 21 days from the date of such service to file your response with the courts clerk.

As of this date no response from you or any party representing you has been received.

Please govern yourself accordingly.

Sincerely,



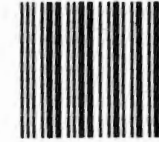
ZIA SHAIKH - Plaintiff

200 Village Ctr Dr
Unit 7381
Freehold, NJ 07728
(732) 766-5466
Zia@MyArpp.com

ZIA SAAIKHA
200 VILLAGE CIRCLE
UNIT 7381
FREDERICK, NJ 07128



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U.S. POSTAGE PAID
FCM LG ENV
FORT WORTH, TX
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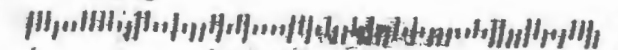
AT 8:30 M
WILLIAM T. WALSH
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FEDERAL DISTRICT COURT OF NEW JERSEY
402 E. STATE ST
RM 2020

TRENTON, NJ 08608

08608 1500 C034



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